



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GORFIEN *et al.*

Appl. No.: 09/028,514

Filed: February 23, 1998

For: **Serum-Free Mammalian Cell
Culture Medium, and Uses Thereof**

Confirmation No.: 4800

Art Unit: 1651

Examiner: Ware, D.

Atty. Docket: 0942.4110002/RWE/FRC

Fifth Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97, and 1.98.

The numbering of this Fifth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Fourth Supplemental Information Disclosure Statement filed on November 26, 2002, in connection with the above-captioned application. Copies of the cited documents are also provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on

information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

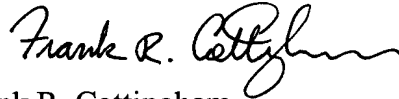
This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Fifth Supplemental Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. Payment of the fee under 37 C.F.R. § 1.17(p) is provided in our PTO-2038 Credit Card Payment Form attached hereto.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO 1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,
Sterne, Kessler, Goldstein & Fox P.L.L.C.



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Date: SEPT. 20, 2004

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FORM PTO-1449				Page 1 of 1			
<div style="position: relative; height: 100px;"> <div style="position: absolute; top: 0; left: 0; width: 100%; height: 100%; border: 1px solid black; border-radius: 50%; text-align: center; line-height: 100px; font-size: 24px; font-weight: bold;">O I P E</div> <div style="position: absolute; top: 10%; left: 10%; font-size: 12px;"> SEP 20 2004 PATENT & TRADEMARK SERVICE </div> </div>				ATTY. DOCKET NO. 0942.4110002/RWE/FRC		APPLICATION NO. 09/028,514	
				FIRST NAMED INVENTOR GORFIEN <i>et al.</i>			
FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT				FILING DATE February 23, 1998	ART UNIT 1651		
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE5	5,017,491	05/21/1991	Freyssinet et al.			10/30/1987
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP3	EP 0 274 445 A2	07/13/1988	Europe			Yes No
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)							
	AR						
	AS						
	AT						
EXAMINER					DATE CONSIDERED		
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.							